

Dec 19, 2019

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DON QUINLIVAN, SUCCESSOR IN
INTEREST FOR BRENDA P.,¹

Plaintiff,

vs.

ANDREW M. SAUL,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:19-cv-03142-MKD

**ORDER GRANTING
PLAINTIFF'S MOTION FOR
DISMISSAL AND CLOSING FILE**

ECF No. 18

BEFORE THE COURT is Plaintiff's Voluntary Motion for Dismissal. ECF No. 18. The parties consented to proceed before a magistrate judge. ECF No. 7. The Motion was submitted for consideration without oral argument and according to the Motion, it is unopposed by Defendant. ECF No. 18 at 1. The Court has reviewed the record and is fully informed.

¹ To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names.

1 Pursuant to Federal Rule of Civil Procedure 41(a)(2), **IT IS HEREBY**
2 **ORDERED:**

3 1. Plaintiff's Motion for Dismissal, **ECF No. 18**, is **GRANTED**.

4 2. Plaintiff's Complaint, ECF No. 1, and the claims therein are
5 **DISMISSED** without prejudice.

6 3. The Court certifies under 28 U.S.C. § 1915(a)(3), that any appeal from
7 this Order would not be taken in good faith and therefore *in forma pauperis* status
8 is denied for purpose of an appeal. Plaintiff remains free to apply to the Ninth
9 Circuit Court of Appeals for *in forma pauperis* status on appeal. Fed. R. App. P.
10 24(a)(5).

11 The District Court Executive is directed to file this Order, furnish copies to
12 counsel, and **CLOSE THE FILE**.

13 DATED this December 19, 2019.

14 s/Mary K. Dimke
15 MARY K. DIMKE
16 UNITED STATES MAGISTRATE JUDGE
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